

1 GUILLERMO MARRERO (Bar No. 099056)  
2 JOSHUA J. RICHMAN (Bar No. 243147)  
**INTERNATIONAL PRACTICE GROUP**  
3 A Professional Corporation  
4 1350 Columbia Street, Suite 500  
5 San Diego, California 92101  
Tel (619) 515-1480  
Fax (619) 515-1481  
[gmarreno@ipglaw.com](mailto:gmarreno@ipglaw.com)  
[jrichman@ipglaw.com](mailto:jrichman@ipglaw.com)

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

10 SINDICATO DE EMPLEADOS Y  
11 TRABAJADORES DE LA INDUSTRIA,  
12 EL CAMPO Y EL COMERCIO DEL  
13 ESTADO 29 C.R.O.M., a Mexican labor  
union, and SINDICATO NUEVA  
GENERACION DE TRABAJADORES  
DE BAJA CALIFORNIA C.R.O.C., a  
Mexican labor union.

Case No. 07CV2365

**PLAINTIFFS' NOTICE OF MOTION AND  
MOTION FOR A TEMPORARY  
RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION**

### **Plaintiffs,**

V.

16 CREDIT MANAGERS ASSOCIATION  
17 OF CALIFORNIA, INC., dba CMA  
18 BUSINESS CREDIT SERVICES, a  
California non-profit corporation.

**Defendant.**

23 PLEASE TAKE NOTICE that on Wednesday, December 19, 2007, or as soon thereafter  
24 as a hearing can be accommodated, Plaintiffs will and hereby do move this Court, pursuant to  
25 Fed. R. Civ. Pro. 65 for a temporary restraining order and order to show cause re: preliminary  
26 injunction restraining Defendant from paying any of \$896,389.81 to: (1) any creditor of  
27 FlexTrim California, Inc.; (2) any creditor of FlexTrim North Carolina, Inc.; (3) the Receiver  
28 appointed by order of the Superior Court for the State of California, County of San Bernardino

1 (in case no. SBFSS64717), to take possession of the assets of Alissimo, S.A. de C.V. and  
2 Resinas Laguna, S.A. de C.V., (4) anybody else claiming an interest to those funds; or  
3 alternatively, an order compelling Defendant to pay \$896,389.81 into the Court.

4 The hearing will be conducted at a time and place to be determined after the filing of the  
5 Complaint and this Motion. Immediately upon discovering the time and place of hearing,  
6 Plaintiffs will promptly provide Defendant notice of the time and location of hearing.

7 In support of their motion, Plaintiffs rely on the attached Memorandum of Points and  
8 Authorities, the Declarations of Roberto Quijano, Francisco Elorza, Jose Corral, Edgar Pena and  
9 Joshua Richman, the pleadings filed in this action and such other evidence as the Court may  
10 allow at the time of the hearing.

11 Dated: December 19, 2007

12 Respectfully submitted,

13 INTERNATIONAL PRACTICE GROUP,  
14 A PROFESSIONAL CORPORATION  
15 BY



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17 GUILLERMO MARRERO  
18 JOSHUA J. RICHMAN  
19 Attorneys for Plaintiffs  
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[gmarreno@ipglaw.com](mailto:gmarreno@ipglaw.com)  
[jrichman@ipglaw.com](mailto:jrichman@ipglaw.com)

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11 TRABAJADORES DE LA INDUSTRIA,  
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13 ESTADO 29 C.R.O.M., a Mexican labor  
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DE BAJA CALIFORNIA C.R.O.C., a  
Mexican labor union;

## Plaintiffs,

V.

16 CREDIT MANAGERS ASSOCIATION  
17 OF CALIFORNIA, INC., dba CMA  
18 BUSINESS CREDIT SERVICES, a  
California non-profit corporation,

19 || Defendant.

I, Joshua J. Richman, certify and declare as follows:

I am over the age of 18 years and not a party to this action.

22 My business address is 1350 Columbia Street, Suite 500, San Diego, CA 92101, which is  
23 located in the city, county and state where the mailing described below took place.

24           **SERVICE BY Facsimile:** On December 19, 2007, at 11:15 a.m. I served the documents  
25 listed in Appendix A, attached to this Certificate of Service, by transmitting them by a facsimile  
26 transmission to CMA Business Credit Services at fax number (818) 972-5301. The above  
27 transmission was reported as complete without error.

1 I, declare under penalty of perjury that the foregoing is true and correct.  
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3 Executed on December 19, 2007

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JOSHUA J. RICHMAN

### Appendix A

The documents that were served are as follows:

Plaintiffs' Notice of Motion and Motion for a Temporary Restraining Order and Preliminary  
Injunction